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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/697,764	10/30/2003	Douglas R. Wylie	ROKZ 2 00004	8905

7590

10/31/2005

Rockwell Automation Inc.
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Milwaukee, WI 53204

EXAMINER

CHAN, KO HUNG

ART UNIT

PAPER NUMBER

3632

DATE MAILED: 10/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/697,764

Applicant(s)

WYLIE, DOUGLAS R.

Examiner

Korie H. Chan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 6,7 and 13-15 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5,8,10-12 and 16-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/30/03,4/8/05</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claims 6, 7, 9, 13-15 have been withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 9/15/2005.

Claim Rejections - 35 USC § 102

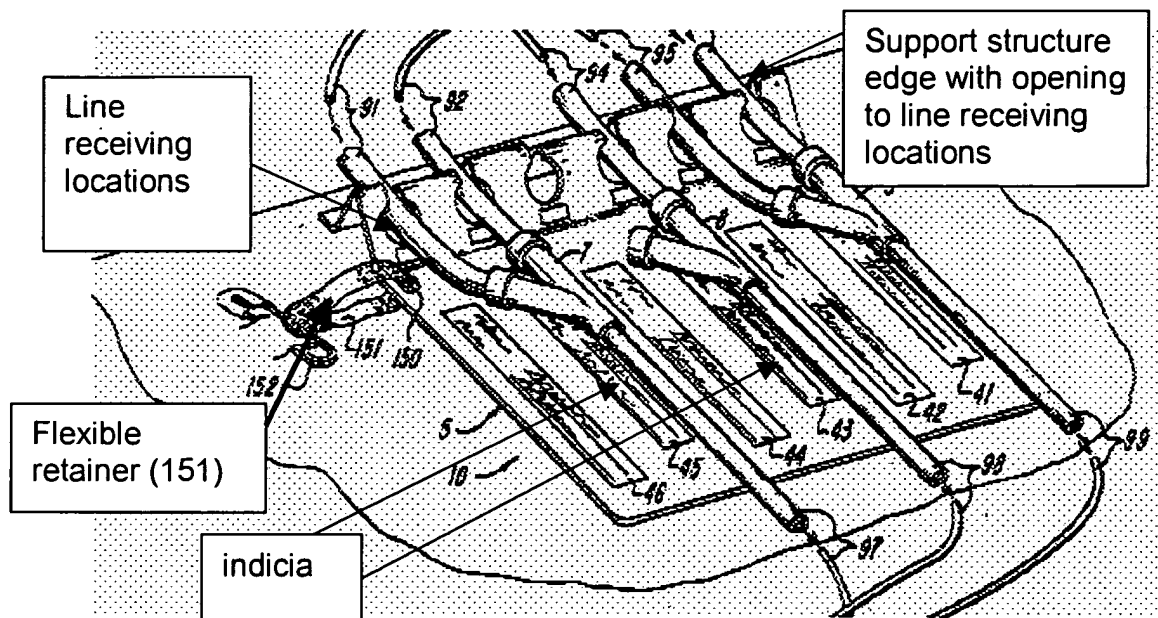
The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

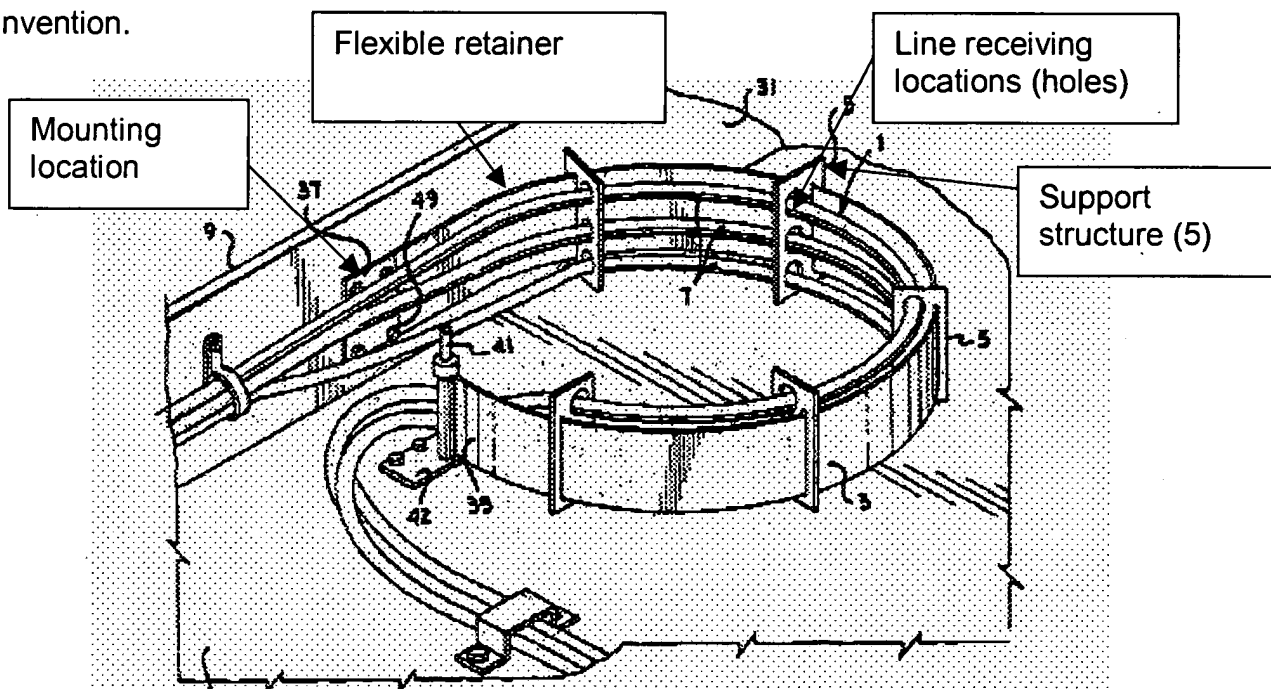
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3, 8, 10, and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Feldstein (US patent no. 4,795,429). Feldstein discloses all the claimed features of applicant's invention as illustrated below. Further, Feldstein discloses the support structure is made of polymeric material or plastic (col. 5, line 40).

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Claims 1, 3, and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Nebel (US patent no. 6,930,244). Nebel discloses all the claimed features of applicant's invention.



Regarding claim 3, Nebel discloses the support structure is made of plastic.

Claims 19 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Costello (US patent no. 4,998,343). Costello discloses a device (18) for holding a plurality of associated cables (16) in the device comprising: defined orientation relative to each other, a support structure that defines a plurality cable retaining locations (4) each adapted to receive and releasably retain an associated cable, wherein the cable retaining locations are arranged in a pattern that corresponds to a pattern of connectors an associated input/output interface device to which the cables are adapted to be connected so as to provide a one-to-one correspondence between each cable retaining location and each connector of the associated input/output device (Col. 2, lines 50-55); wherein the cable retaining locations of the support structure are adapted for alignment with connection axes of connectors of the associated input/output interface device.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nebel (US patent no. 6,930,244). Nebel discloses all the claimed features of applicant's invention as illustrated above except for making the flexible retainer and support structure of one piece construction. To make components of one piece construction is old and well-known in the art. It has the known advantage of eliminating assemblage of

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parts. Nebel himself teaches this in his secondary embodiment (figures 9-11) where a retainer strip (103) and support structure (105) are of one piece construction. It would have been obvious to one of ordinary skilled in the art to have modify the Nebel's flexible retainer and support structure such that they are of one piece construction to eliminate assemblage of parts as taught by Nebel himself.

Claims 4, 5, 12, and 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nebel (US patent no. 6,930,244) in view of Hall et al (US patent no. 3,731,363). Nebel discloses all the claimed features of applicant's invention as illustrated above except for making the support structure of transparent material. To make support structures transparent is old and well-known in the art. Such provision of transparency permits viewing through the panel as demonstrated by Hall which teaches providing a transparent circuit board with rows and columns of holes (8) for receiving wire leads for viewing purposes (col. 2, line 50). To make the Nebel's support structure transparent would have been obvious to one of ordinary skilled in the art. Such modification provides the known advantage of viewing through the panel as taught by Hall. Furthermore, it would have been obvious to have modified the support structure of Nebel such that rows and columns of line receiving locations or holes are provided for receiving multiple wires as taught by Hall.

Conclusion


The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The remaining art of record demonstrate various line holders.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Korie H. Chan whose telephone number is 571-272-6816. The examiner can normally be reached on Monday - Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski can be reached on 571-272-6788. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Korie H. Chan
Primary Examiner
Art Unit 3632

Khc
October 10, 2005